



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/156,541	09/17/1998	ROY HAROLD MAUGER		1213

7590 05/08/2003

WILLIAM M. LEE, JR.  
LEE, MANN, SMITH, MCWILLIAMS, SWEENEY &  
OHLSON, P.O. BOX 2786  
CHICAGO, IL 606901300

EXAMINER

HARPER, KEVIN C

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 05/08/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

B

**Office Action Summary**

Application No.

09/156,541

Applicant(s)

MAUGER ET AL. 

Examiner

Kevin C. Harper

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-22, 38 and 39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-22 and 38 is/are allowed.
- 6) ☒ Claim(s) 39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

Art Unit: 2666

***Response to Arguments***

Applicant's arguments with respect to claim 39 has been considered but are moot in view of the new ground(s) of rejection.

***Drawings***

1. The corrected or substitute drawings were received on February 6, 2003. These drawings are approved.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Christie et al. (US 6,031,840).

Art Unit: 2666

2. Regarding claim 39, Christie discloses a method of deploying a communications system containing a narrowband-to-broadband interface (Figure 2, item 212) having network adapters (item 212; col. 5, lines 27-30) each connected to a switch (item 220; col. 5, lines 27-30) for providing access to virtual channels supported by a broadband network. The adapters are each coupled to a trunk (item 230; col. 5, lines 27-30) that supports a communication function (col. 4, lines 65-67). At least two call servers (item 200; col. 5, lines 30-31) are coupled to the narrowband-to-broadband interface (item 241) and control the interconnection of calls between narrowband trunks and virtual channels of the broadband network (col. 5, lines 30-34). The method comprises separating functionality associated with the network adapters between call servers (col. 5, lines 30-34) whereby each call server is responsible for controlling near-end trunk interconnections (Figure 2; col. 5, lines 27-34). The method further comprises mapping logical addresses (col. 5, lines 3-5) into inherent and independent physical addresses of the network adapters (col. 4, lines 61-64; col. 5, lines 3-9; col. 3, lines 34-37; note: IAM using SS7 having a destination point code physical address for the ATM interworking unit in order to route the IAM control messages to the unit) and translating the physical address of a first network adaptor having an associated first logical address into a different network adaptor having the first logical address (col. 5, lines 30-34). However, Christie does not disclose that the call servers each control a group of trunks having a common communication function. One skilled in the art would recognize that several trunks are typically connected to an ATM interworking unit for allowing connections to multiple end offices or narrowband switches. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have multiple trunks connected to an ATM interworking function and controlled by a call server in the invention of

Art Unit: 2666

Christie to efficiently utilize broadband resources by accommodating several narrowband facilities with only one interworking unit.

***Allowable Subject Matter***

3. Claims 12-22 and 38 are allowed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 703-305-0139. The examiner can normally be reached weekdays, except Wednesday, from 9:30 AM to 8:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao, can be reached at 703-308-5463. The fax number for Technology Center (TC) 2600 is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office for TC 2600 at 703-306-0377.

Kevin C. Harper



May 3, 2003